

Rowley, John B. Lightfoot, J. R. Ed. Crump, Senator Harding C. Walker, W. Crump, Tucker, Mr. Gilbert Walker, W. Crump, W. Brydon Tennant, James H. Drake, Jr., Senator Sale, E. C. Folkes, C. M. Wallace, Representative C. C. Talbot, Robert Lecky, Jr., W. H. Sanda, J. Campbell, J. Patterson, R. T. Irvine, Julian P. Thomas, Senator C. T. Lassiter, Attorney-General Anderson, John Pickrel, J. Stewart Bryan, Jonathan Bryan, A. P. Thom.

At 8 o'clock the Chairman, Mr. Crump, announced that there would be no night session and that the committee would adjourn to meet this afternoon at 2 o'clock.

Commissioner Stuart had not concluded his testimony and will therefore continue at to-day's session.

AS OF A SERPENT SAYS MAJ. LANIER

So Refers on Stand to Friendship of Upshur—Mr. Stuart on Stand.

The second day's session of the legislative committee, charged with the investigation of the State Corporation Commission, began at 2 o'clock yesterday in the court-room of the commission, in the Capitol.

Major A. S. Lanier, who had not concluded his testimony at the last session, took the stand. He placed in evidence a statement made by Judge Crump to a newspaper, which he returned to the commission, filed on Monday night, was an answer.

Major Lanier then went into a discussion of the charges that on the same day he wrote to corporations in his official capacity, his company wrote to the same corporations. He said that this work was done exclusively by Mr. Tyler, and that both Mr. Tyler and Mr. Newby, saying that Mr. Tyler had done more work in locating foreign corporations and bringing in revenue to the State than all the rest of the force of the State Corporation Commission together. Mr. Tyler one day went down to the State Corporation Commission and returned with the names of about a dozen corporations which he was not paying tax to the State. I gave a carbon copy of these names to Mr. Campbell. That was all the significance of the charge.

By Mr. Byrd:

Ques. Was not this significance then that you gave to an officer of your company the names of corporations that had come officially into your office?

Ans. Yes.

Ques. Was not this your custom?

Ans. Yes. My reason for giving these names to Mr. Campbell was to have the Virginia Corporation Commission send literature to these companies, and that was the only reason. I did not have to give Mr. Campbell the business.

Helpful to Company.

Ques. Do you consider that your position with the commission was helpful to your company?

Ans. Yes.

Mr. Byrd then stated he had written to the commission about a telegraph company and that before he got an answer from the commission, he received a letter from the Virginia Corporation Commission. Was this intentional or not? asked Mr. Byrd.

Ans. I did not write such a letter. I might have made a memorandum and handed it to Mr. Campbell. The company spent a vast amount of money in overhauling the laws of Virginia, and possibly the company may have written to you.

Ques. What do you mean by a vast amount of money?

Ans. About \$2,000.

Ques. What had Mr. Tyler to do with this company?

Ans. He held no office and owned no stock.

Mr. Tyler had charge of soliciting business. He hit upon a plan of soliciting to various companies that they could reduce taxation by reducing the amount of their capital stock.

Major Lanier then told why the company had entered this business, to help Mr. Campbell, who had a large family and only a small salary.

Ques. Tyler was then paid for this work.

Ans. Yes, but very little.

Ques. You were then actuated by a desire to help Mr. Tyler, only, and not to help your company?

Ans. I was actuated by mixed motives. I wanted to help Mr. Tyler and I also hoped that the business would help the company.

Major then alluded to Mr. Upshur's alleged friendship with him. "Mr. Upshur's pretended friendship for me was the act of a serpent,"

Mr. Byrd—He did not care to hear such denunciations. "We are here for facts."

Major Lanier—I think I should have the right to draw deductions and speculate at length.

Ques. You say you can argue the case later, but we prefer you to state facts now and argue the case later.

Major Lanier—I will then cut out speculations and talk of facts.

Mr. Byrd—Please do.

Major Lanier then continued: That he had done all in his power to keep the corporation matters from being made public and that he only after he felt that his honor had been attacked that he made the matters public.

He then read a letter from himself to Mr. Upshur, asking him for a copy of the "charges," and stating that Judge Crump had stated that all the copies furnished to the commissioners had been destroyed.

Reputation Suffering.

By Mr. Byrd:

Ques. Will you please state if Judge Crump told you that these copies had been destroyed?

Ans. I met Judge Crump at the Commonwealth Club and we discussed the matter in a friendly spirit. I told Judge Crump that my reputation was suffering from these charges of misconduct in office; that I could not look an honest man

in the face.

Ques. Did you then state to Judge Crump that you were suffering from these charges?

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"Berry's for Clothes."



That's right! Soak the old man and we'll soak the old style!

Here's clothing that will stand the strenuous strain of busy life. It makes a hit every time, built with the same care as our suits for men.

\$2.85 for Suits up to \$5.00.

\$4.75 for Suits up to \$8.00.

\$5.75 for Suits up to \$10.00.

Overcoats and Reefers, same way.

Men's Double-Breasted Winter Overcoats that were \$18.00 and \$20.00, now only \$12.75.

Don't suffer from the cold.



Men's & Boys' Clothing

In the face, that he said I must have a copy of the charges. Judge Crump said that he expected something of this sort, and that he and other members of the commission had destroyed the copies of these charges. This is my recollection. Judge Crump has denied the statement, but I recollect the matter distinctly.

Ques. Did you make a demand for an investigation of the charges?

Ans. (Major Lanier then went into a discussion of the affairs at that time.)

Ques. I asked if you made a demand for an investigation.

Ans. I did. I told Mr. Upshur that if there were any charges against me, I wanted an investigation. He said there were plenty of charges and you will hear them at the proper time.

I then went to Judge Crump's house and discussed the matter with him for two hours.

Ques. Did you discuss the affairs of the Virginia Corporation Company at this time with Judge Crump?

Ans. I think so. I cannot say positively.

Ques. I asked you if you asked for an investigation after the charges were filed.

Ans. When I went into the room after the charges were filed, they said that they were not investigating any charges, but would simply talk the matter over.

Ques. Since you endeavored to have the charges investigated, and I have applied to the courts to assist me.

Ans. I did not. I did not want to go to court.

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by the exercise of a little moral courage it could have been settled without publicity, with entire justice to all parties in interest, and I charge that its present magnitude and delay have been brought about entirely by the attitude assumed towards the questions at issue by the commissioners themselves.

The matter involved is of simple solution, and can be settled by the commission itself, which it should do without the aid of outside parties. It simply requires that the commission hear the chief clerk and myself, and then decide at issue, and enter such order as will do justice to the innocent and fix the responsibility where it belongs, with the appropriate penalty. I have appealed to the commission to do this. They have had my petition in their hands for nearly two weeks, but have communicated to me no conclusions upon my request.

I have been in silence the wrong and injustice that has been done me from a desire to avert any unhappy consequences to the State Corporation Commission that might result from the publicity incident to my seeking vindication and redress in the courts. I have a duty to myself as well as to the commission, and if they refuse to do me the justice I have asked at their hands, or the matter is not settled by the commission, I have accepted of the suggestion by you and Mr. Braxton yesterday, no other recourse is left me but to seek redress and vindication in the courts, and I solemnly declare my intention through you that the responsibility for any unfortunate consequences that may ensue from such action on my part must rest upon you.

Differences between men can never be settled nor truth discovered in secret conferences, or conferences from which the parties in interest are excluded, and the parties to statements are heard. Truth, truth and justice require the light of day, and can only be vindicated when antagonistic confessions are placed open with equal rights and privileges of action. This I have sought from the beginning, and shall seek to the end.

Desiring vindication and justice, and wishing to avoid any injury to the State Corporation Commission, I agreed with you that I would submit the controversy to a "court of honor" (as you called it), to be composed of the most eminent men in the State, the same to be non-residents of Richmond, unconnected with any way with the corporation, the parties in interest. That each side was to select a number of gentlemen of the character mentioned, and from the total number of gentlemen, three or five, was to be chosen. That this court was to hear fully and freely both sides, and that all parties in interest, except the commission, were to be bound themselves to accept fully and finally the findings or judgment of this court.

For various reasons not necessary to be stated here, we have concluded that the names suggested yesterday by us are of gentlemen who are not available, and we therefore draw up a list and suggest in place of them the following: Judge Berryman Green, Danville, Va.; Professor Wm. M. Life, University of Virginia; Professor Charles A. Graves, University of Virginia.

I earnestly request that you arrange with the other side at the earliest practicable moment, as the matter has been pending a long time, and that you select the members of the court, and communicate the results of your efforts to me or Mr. W. L. Royall, my counsel, and that you select the members of the court, and arrange the terms and details of the hearing.

Very respectfully,

ALFRED B. WILLIAMS.

Richmond, Virginia.

My Dear Sir—Your letter of even date has been received. With regard to details, it is enough to say that there are several insuperable objections to Mr. La. Royall, and I would not have it. I would like to go out into the world with a stigma cast upon my character. My counsel, Mr. Royall, then answered the communication, and I think it was fair.

May 27, 1905.

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